

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PAUL MARTINKA

Plaintiff,

- against -

FIRST MEDIA POWER GROUP LLC

Defendant.

Docket No. 1:23-cv-1061-PGG

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that, upon this Notice of Motion; the declaration of James H. Freeman and exhibits attached thereto, the Statement of Damages, and the pleadings and prior proceedings herein; Plaintiff Paul Martinka will move the Court, before the Honorable Paul G. Gardephe (U.S.D.J.) at the United States District Court, Southern District of New York, 40 Foley Square, New York, NY 10007, in Courtroom 705, at a time and place determined by the Court for an Order GRANTING Plaintiff's application for default judgment against defendant First Media Power Group LLC ("Defendant") pursuant to Fed.R.Civ.P. 55(b)(2) and L.R. 55.2 in the amount of \$30,000.00 in statutory damages under 17 U.S.C. § 504(c); \$840.00 in fees and \$440.00 costs under 17 U.S.C. § 505, and for such further relief as this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that pursuant to L.R. 55.2, Defendant must respond to this Motion within 14 days of service of this Motion on Defendant by U.S. mail at Defendant's last known business address. Plaintiff may file a reply within 7 days after Defendant files its response.

Dated: May 1, 2023  
Uniondale, New York

Respectfully Submitted:

s/jameshfreeman/

By: James H. Freeman  
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*Defendant*